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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/655,773	09/05/2003	Carey E. Garibay	ORACL-01454US3	7231
80548	7590	08/20/2008		
Fliesler Meyer LLP 650 California Street 14th Floor San Francisco, CA 94108			EXAMINER WEST, THOMAS C	
			ART UNIT 3685	PAPER NUMBER
			MAIL DATE 08/20/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/655,773

Applicant(s)

GARIBAY ET AL.

Examiner

THOMAS WEST

Art Unit

3685

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 5-23-08.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,5-9,12-16 and 19-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,5-9,12-16 and 19-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SF-08)
Paper No(s)/Mail Date 8-12-08
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Status of Claims

1. This action is in response to the Pre-Appeal Conference Decision dated June 10, 2008. The Final Office Action dated February 25, 2008 is therefore withdrawn. Accordingly, claims 1, 2, 5-9, 12-16, 19-21 remain pending.

Information Disclosure Statement

2. The Information Disclosure Statement filed on August 12, 2008 has been considered. An initialed copy of the Form 1449 is enclosed herewith.

Response to Arguments

3. Applicant's arguments with respect to claims 1, 2, 5-9, 12-16, 19-21 have been considered but are moot in view of the new grounds of rejection.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1, 2, 5-9, 12-16, 19-21 are rejected under U.S.C. 103(a) as being unpatentable over Cronic et. al, US Patent Publication No. 2003/0172035 in view of

Linden, US Patent No. 6,360,254 and in further view of Bhattacharaya US Patent Publication No. 2002/0094083.

Claims 1 and 15:

Cronce as shown, discloses the following limitation:

- downloading a license key from the web page (see at least Cronce paragraph 22).

Cronce discloses the limitation described above. Cronce does not disclose the following limitation, but Linden does:

- using the encrypted URL to access a web page (see at least column 4, lines 35-65).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the license management system of Cronce with the encrypted URL of Linden to provide increased security to content data through server anonymity.

Cronce disclose the limitations described above. Cronce does not disclose the following, but Linden discloses a temporary web address with a pre-specified number of uses:

- the web page is deleted after all license keys are downloaded (see at least column 5, lines 22-29).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the license key system of Cronce with the

temporary web address of Linden, to prevent discovery of a private URL holding sensitive information such as license keys in order to prevent discovery of the URL through an improper means and to delete the URL after a pre-specified number of uses, such as after all license key have been downloaded.

Cronce discloses the limitations described above. Cronce does not disclose the following limitation, but Linden does:

- after a software order, sending an e-mail message with an encrypted URL to a user (see at least column 6, lines 15-22, column 4, lines 45-67);

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the system of Cronce with the encrypted e-mail message of Linden in order to securely convey the encrypted URL to only authorized users.

Cronce discloses the limitations described above. Cronce does not disclose the following limitation, but Bhattacharaya discloses a one-time distribution scheme and one-time license:

- the license key can only be downloaded once from the web page (see at least paragraphs 2, 5, 6, 7).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the system of Cronce/Linden with the single license download of Bhattacharaya in order to account for and preserve the security of issued license keys.

Claims 2, 9, 16:

Cronce discloses the limitations described above. Cronce does not disclose the following limitation, but Linden does:

- the e-mail message also includes an authorization code for use with a web application (see at least column 3, lines 58-61 and column 4, lines 12-24).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the system of Cronce with the alphanumeric code (token) of Linden, which serves as an authorization code, in order to maintain client anonymity.

Claims 5, 12, 19:

Cronce discloses the limitations described above. Cronce does not disclose the following limitation, but Linden does:

- the encrypted URL allows for license key download without requiring user login (see at least column 4, lines 12-19).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the system of Cronic with the lack of requiring the user login of Linden since the token provides authorization/access to the private URL.

Claims 6, 13, 20:

Cronic discloses the limitations described above. Cronic further discloses:

- a web application is used to keep track of software licenses (see at least paragraph 38).

Claims 7, 14, 21:

Cronic discloses the limitations described above. Cronic further discloses:

- a copy of the license key can be retrieved from the web application (see at least paragraph 39).

Claim 8:

Cronic discloses the limitations described above. Cronic further discloses:

- a memory adapted to store license keys for software (see at least Cronic paragraph 20);

Cronce/Linden disclose the limitations described above and further discloses:

- a processor adapted to execute a software email construction application to send an e-mail message with an encrypted URL to a user after a software order and to execute a license key download construction application to produce a license key download page for the encrypted URL, wherein the license key download page can be used for downloading one of the license keys (see at least Cronce paragraph 38, Linden column 4, lines 6-11 and 57-67, column 6, lines 15-22, column 5, lines 29-31).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the license management system of Cronce with the encrypted URL of Linden to provide increased security to content data through server anonymity to secure license management.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas West whose telephone number is 571-270-1236. The examiner can normally be reached on M-R 7:30am - 5pm EST, ALT Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Calvin L. Hewitt, can be reached on (571) 272-6709. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Thomas West
Patent Examiner
Art Unit 3685
August 16, 2008

/Jalatee Worjloh/
Primary Examiner, Art Unit 3685